

A BILL FOR AN ACT ENTITLED: An Act Authorizing the Lease of University Property and the Construction of Certain Facilities using Non-State Funds; Exempting Certain Construction Projects from Certain State Laws; Establishing Parameters and Conditions for the Projects; and Providing an Effective Date.

Section 1. Authorization The Board of Regents may lease land or land and facilities to a private, nonprofit foundation, organized to solicit, manage and administer non-state funds, gifts, grants, donations, in-kind contributions and revenues on behalf of a unit of the Montana University System for the purpose of constructing or renovating athletic facilities by the foundation. The terms, guarantees, and agreements relative to any facilities constructed under this authority must be negotiated in the best interests of the state and must include guarantees that no commitment of state-appropriated funds for design, construction, operations or maintenance is expressed or implied. The terms, guarantees, and agreements are subject to final review and approval by the Board of Regents, after which the Board of Regents will provide a report certifying to the Budget Director that these conditions have been satisfied.

Section 2. Exemptions The design and construction of facilities as leased under Section 1 above is not subject to the requirements of Title 18, Chapter 2 and Chapter 8, except that:

- a. The Department of Administration shall execute the provisions of 18-2-103(1)(a) and (1)(e); and,
- b. The provisions of Title 18, Chapter 2, Part 4, apply to all labor, except donated labor.